

FILED BY *M* Q.C.

05 OCT 18 AM 9:45

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WD OF MEMPHIS

UNITED STATES OF AMERICA

-VS-

Case No. 2:04cr20139-3-Ma

PHYLENTHIAN MARTIN

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**ORDER OF TEMPORARY DETENTION  
PENDING HEARING<sup>1</sup> PURSUANT TO  
BAIL REFORM ACT**

Upon motion of the Government, it is **ORDERED** that a detention hearing is set for **THURSDAY, OCTOBER 20, 2005 at 2:30 P.M.** before United States Magistrate Judge S. Thomas Anderson in Courtroom M-3, 9<sup>th</sup> Floor, United States Courthouse and Federal Building, 167 North Main, Memphis, TN. Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

Date: October 17, 2005

*Tu Pham*  
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TU M. PHAM  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the government or upon the judicial officer's own motion, if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate or attempt to threaten, injure, or intimidate a prospective witness or juror.

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UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF TENNESSEE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 80 in case 2:04-CR-20139 was distributed by fax, mail, or direct printing on October 20, 2005 to the parties listed.

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Honorable Samuel Mays  
US DISTRICT COURT